



Journal of the House

State of Indiana

122nd General Assembly

First Regular Session

Twenty-Fourth Day

Thursday Morning

March 11, 2021

The invocation was offered by Chaplain Pam Russell of the Public Servant's Prayer.

The House convened at 10:30 a.m. with Speaker Todd M. Huston in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Lyness.

The Speaker ordered the roll of the House to be called:

| | |
|-----------------------------------|-----------------------------------|
| Abbott | Karickhoff |
| Andrade | King |
| Austin | Klinker |
| Aylesworth | Lauer |
| Baird <input type="checkbox"/> | Ledbetter |
| Barrett | Lehe |
| Bartels | Lehman <input type="checkbox"/> |
| Bartlett | Leonard |
| Bauer | Lindauer |
| Behning <input type="checkbox"/> | Lucas |
| Borders | Lyness |
| Boy | Manning |
| Brown, T. | May |
| Campbell | Mayfield <input type="checkbox"/> |
| Carbaugh | McNamara |
| Cherry | Miller |
| Clere | Moed <input type="checkbox"/> |
| Cook <input type="checkbox"/> | Morris |
| Davis | Morrison |
| Davisson | Moseley |
| DeVon | Negele |
| DeLaney | Nisly |
| Dvorak <input type="checkbox"/> | Olthoff |
| Eberhart | Pack |
| Ellington | Payne |
| Engleman <input type="checkbox"/> | Pfaff |
| Errington | Pierce |
| Fleming | Porter |
| Frye | Prescott |
| GiaQuinta | Pressel <input type="checkbox"/> |
| Goodrich | Pryor |
| Gore <input type="checkbox"/> | Rowray |
| Gutwein | Saunders |
| Hamilton | Schaibley |
| Harris | Shackleford |
| Hatcher | Slager |
| Hatfield <input type="checkbox"/> | Smaltz |
| Heaton | Smith, V. |
| Heine <input type="checkbox"/> | Snow |
| Hostettler | Soliday <input type="checkbox"/> |
| Jackson | Speedy |
| Jacob | Steuerwald |
| Jeter | Sullivan |
| Johnson | Summers |
| Jordan | Teshka |
| Judy | Thompson |

Torr
VanNatter ☐
Vermilion
Wesco

J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 253: 86 present; 14 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, March 15, 2021, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

RESOLUTIONS ON FIRST READING

House Resolution 16

Representative Payne introduced House Resolution 16:

A HOUSE RESOLUTION remembering 1950 Madison High School basketball champions Mr. Donald L. McCauley and Mr. Spencer J. Schnaitter.

Whereas, Indiana basketball is a much-loved institution rooted in the hearts and minds of Hoosiers, young and old;

Whereas, Residents in Madison, Indiana, and the greater community of basketball fans, remember the lives of Mr. Donald L. McCauley and Mr. Spencer J. Schnaitter, and celebrate their 1950 IHSAA state basketball final championship win;

Whereas, Mr. McCauley and Mr. Schnaitter passed away in January 2021 at the ages of 87 and 88, respectively;

Whereas, McCauley, guard, and Schnaitter, center, started for the historic Madison High School Cubs basketball team coached by Ray Eddy;

Whereas, The Madison Cubs played the Marion Giants at Butler Fieldhouse in Indianapolis to more than 15,000 basketball fans from across the Hoosier state;

Whereas, The Cubs' 1950 state tourney was hotly contested and culminated in a 50-49 Madison victory in the final seconds of the game;

Whereas, The Cubs won the championship as notable underdogs that played their season with balanced teamwork, determination, and athleticism;

Whereas, Mr. McCauley and Mr. Schnaitter enjoyed long and successful careers upon graduating from Madison High School;

Whereas, Mr. McCauley went on to marry Caroline M. Lynch, his wife of 63 years, and the two had two daughters and two sons;

Whereas, Mr. McCauley served in the United States Army and became a successful businessman serving his community in many roles, including: president, Mite Federal Saving and

Loan Association; president, Home Federal; president, First Federal Saving and Loan Association in Peru, Indiana; president, Peru Chamber of Commerce; president, Peru-Miami County Economic Development Corporation; and board member, United Way;

Whereas, Mr. Schnaitter went on to Yale University, where he graduated as an accomplished athlete in basketball, including MVP as a junior and team captain as a senior;

Whereas, Mr. Schnaitter married Laura Ann Mill in 1954, and the two had three sons and two daughters;

Whereas, Mr. Schnaitter served in the United States Army before he returned to Indiana and graduated from the Indiana University Law School (Bloomington) in 1959;

Whereas, Mr. Schnaitter and his family moved to Madison, where he practiced law for more than 60 years, and was active in his community, serving as a five-term state representative, Indiana General Assembly; city attorney, Madison; and county attorney, Johnson County;

Whereas, Mr. McCauley and Mr. Schnaitter shared a deep love of basketball and athletics; and

Whereas, Mr. McCauley and Mr. Schnaitter are celebrated Hoosiers who will be remembered fondly by friends, family, and colleagues for their many contributions in their communities: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives celebrates and remembers the life of Mr. Donald L. McCauley for his contributions in his community and the state of Indiana.

SECTION 2. That the Indiana House of Representatives celebrates and remembers the life of Mr. Spencer J. Schnaitter for his contributions in his community and the state of Indiana.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Zach Payne for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 17

Representative Baird introduced House Resolution 17:

A HOUSE RESOLUTION honoring Mr. Jimmy Proctor.

Whereas, Mr. Jimmy Proctor was born on March 11, 1933, son of James Ernest and Pauline Peyton Proctor, in Brazil, Indiana;

Whereas, Mr. Proctor was a 1952 graduate of Brazil High School, a proud letterman of their football team who went on to play at Indiana State University;

Whereas, Mr. Proctor served in the United States Army as a signal repair specialist along the Demilitarized Zone in post-war Korea in the immediate aftermath of the conflict;

Whereas, Mr. Proctor's dedication to his community began with his teaching career at Reelsville High School from 1960 to 1966 as a math and social studies teacher, and his teaching would continue at Cascade High School from 1967 to 1984;

Whereas, Mr. Proctor was elected to the South Putnam Community School Corporation Board of Trustees as an at-large representative and served for eight years as president (1986-1987, 1993-1994) and vice president (1986-1987, 1992-1993);

Whereas, In 1997, Mr. Proctor was again elected to the South Putnam Community School Corporation as the

Washington Township representative, serving as vice president (1997-1999), and president (1999-2000);

Whereas, Mr. Proctor served as a volunteer firefighter with the Reelsville Volunteer Fire department beginning in August of 1963, where he would serve as the chief (1965-1966, 1972-1974), 2nd Lt. (1968-1969), 1st Lt. (1970-1971), and Treasurer (1975-1994, 2010-2012);

Whereas, In 1966, Mr. Proctor would become one of four founding members who went door-to-door to gather down payments that would support the foundation of the Reelsville Water Company;

Whereas, In 1966, Mr. Proctor went on to serve as a member of the Board of Directors of the Reelsville Water Company until his retirement in 2015. During his tenure he secured a \$500,000 grant from the Indiana Office of Community and Rural Affairs;

Whereas, Mr. Proctor and his wife, Barbara, were baptized and became members of Big Walnut Missionary Baptist Church in January, 1962. The Proctors served in many capacities in the church and ensured the monthly newsletter and Sunday morning bulletin were written and printed on time for more than thirty years; and

Whereas, Mr. Proctor, with the support of his wife, served the local community in countless other ways that have led many in the Reelsville community to mistake him as the "mayor of Reelsville": Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives honors Mr. Jimmy Proctor for his many contributions to the community of Reelsville, Indiana, and to fellow Hoosiers lucky enough to have known him.

SECTION 2. That the Principal Clerk of the Indiana House of Representatives shall transmit a copy of this resolution to: Big Walnut Baptist Church, Reelsville, Indiana; Doug Hansel, Greencastle, Indiana; Tracy L. Britton, Reelsville, Indiana; Reelsville Water Company, Greencastle, Indiana; Cascade High School, Clayton, Indiana; and Reelsville Volunteer Fire Department, Reelsville, Indiana.

The resolution was read a first time and adopted by voice vote.

House Concurrent Resolution 24

Representatives Saunders, Baird and Abbott introduced House Concurrent Resolution 24:

A CONCURRENT RESOLUTION recognizing the officers and crew of the USS Indiana (SSN 789).

Whereas, The USS Indiana (SSN 789) deployed at the beginning of a national lockdown during the global COVID-19 pandemic;

Whereas, The officers and crew of the USS Indiana left their families and country behind during an unprecedented worldwide pandemic in support of national security;

Whereas, The USS Indiana successfully completed the ship's maiden deployment of 183 days to the European Command Area of Operations with minimal material and personnel support, thereby providing the template for high tempo operations during a global pandemic;

Whereas, The USS Indiana conducted operations vital to national security while completing their theater anti-submarine warfare mission, in addition to an international naval exercise, thereby demonstrating skill and expertise with military bearing,

professionalism, and the spirit of hard work and perseverance for which Hoosiers are known;

Whereas, The USS Indiana provided invaluable training and engagement, with Hoosier hospitality and know-how, for allied partners from the United Kingdom, Canada, Germany, France, Norway, and Iceland during NATO Exercise Dynamic Mongoose 2020;

Whereas, The USS Indiana spent more than 240 days at sea in 2020, successfully completing an emergent deployment to the Northern Command Area of Operations in support of Homeland Defense, because Hoosiers come when needed without question, weeks after returning from a six month deployment; and

Whereas, The USS Indiana "2020 Quarantine Deployment" met challenges, raised the bar, and set the standard for all other submarines to follow: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes and honors the officers and crew of the USS Indiana (SSN 789) for their dedication and service to the United States of America.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Thomas Saunders for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Kruse.

House Concurrent Resolution 25

Representatives Schaibley and Torr introduced House Concurrent Resolution 25:

A CONCURRENT RESOLUTION congratulating Carmel Clay Parks & Recreation for winning its second National Gold Medal Award for Excellence in Park and Recreation Management.

Whereas, At the National Recreation and Park Association's Virtual Conference on October 27, 2020, Carmel Clay Parks & Recreation was selected the 2020 recipient of the National Gold Medal Award for Class III (Population 75,001 to 150,000), presented by the American Academy for Park and Recreation Administration;

Whereas, The purpose of the National Gold Medal Award is to recognize and honor the nation's outstanding park and recreation agencies for excellence in the field of park and recreation management, with only one agency receiving the award per population class;

Whereas, A panel of five esteemed judges, chosen for their considerable experience and knowledge in parks and recreation on both the local and national levels, selected Carmel Clay Parks & Recreation for this prestigious award for its strong community support, outstanding parks and programs, innovative staff, and entrepreneurial approach to managing public services;

Whereas, Of the more than 23,000 eligible park and recreation systems across the country and within U.S. military installations worldwide, Carmel Clay Parks & Recreation is one of only 204 agencies to have ever won the National Gold Medal Award since the inception of the award program in 1965;

Whereas, Carmel Clay Parks & Recreation is now a two-time National Gold Medal Award winner, doing so in its first year of regaining eligibility after last winning the award in 2014, further distinguishing itself as one of the nation's best managed park and recreation systems;

Whereas, The Carmel/Clay Board of Parks and Recreation, Director of Parks and Recreation Michael Klitzing, and Assistant Director Kurtis Baumgartner deserve special accolades for leading Carmel Clay Parks & Recreation to the highest national honor for park and recreation systems; and

Whereas, It is fitting that the accomplishments of Carmel Clay Parks & Recreation be given additional recognition: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates Carmel Clay Parks & Recreation for winning the 2020 National Gold Medal Award for Excellence in Park and Recreation Management and urges this park and recreation system to continue striving for excellence in serving its community.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Park Board President Richard F. Taylor III, Director Michael Klitzing, and Assistant Director Kurtis Baumgartner.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Baldwin, J.D. Ford, and Qaddoura.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred Senate Bill 6, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 6 as printed February 5, 2021.)
Committee Vote: Yeas 12, Nays 0.

MILLER D, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 7, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 13 through 16, begin a new paragraph and insert:

"(c) A forensic nurse who is practicing as a forensic nurse on June 30, 2021, is not required to meet the education requirements set forth in subsection (a)(2) until June 30, 2023."

(Reference is to SB 7 as printed February 5, 2021.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

BARRETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 10, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 2. IC 16-50-1-3, AS ADDED BY P.L.48-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. (a) The state department shall establish a statewide maternal mortality review committee to:

- (1) review cases of maternal morbidity and maternal mortality;
- (2) determine factors contributing to maternal morbidity and maternal mortality;
- (3) identify public health and clinical interventions to improve systems of care and enhance coordination; and
- (4) develop strategies for the prevention of maternal morbidity and maternal mortality;

in Indiana.

(b) The statewide **maternal** mortality review committee:

- (1) shall review cases ~~of maternal mortality~~ **involving the death of a woman occurring during pregnancy, irrespective of the duration and site of the pregnancy, through one (1) year after the pregnancy;** and
- (2) may review cases of maternal morbidity;

to carry out the duties set forth in this chapter.

SECTION 3. IC 16-50-1-6, AS ADDED BY P.L.48-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 6. (a) If a health care provider or a health care facility has a patient who suffers a ~~maternal mortality death occurring during pregnancy, irrespective of the duration and site of the pregnancy, through one (1) year after the pregnancy~~ and the health care provider or health care facility has knowledge of the circumstances of the maternal ~~mortality, death~~, the health care provider or the health care facility shall report the maternal ~~mortality death for review~~ to the statewide maternal mortality review committee in the manner established by the statewide maternal mortality review coordinator under IC 16-50-2-4.

(b) The state department may provide data held by the state department, including:

- (1) vital statistics;
- (2) trauma data; and
- (3) hospital discharge data;

to the statewide maternal mortality review coordinator to aid in the identification of cases of maternal morbidity and maternal mortality.

SECTION 4. IC 16-50-1-7, AS ADDED BY P.L.48-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 7. (a) The statewide maternal mortality review committee shall review all cases of maternal ~~mortality death~~ reported to the statewide maternal mortality review committee **under section 6 of this chapter.**

(b) The statewide maternal mortality review committee may do any of the following concerning each ~~maternal mortality~~ case reported to the statewide maternal mortality review committee:

- (1) Review medical records and other relevant data as set forth in section 8(a) of this chapter.
- (2) Contact family members and other affected or involved persons to collect data.
- (3) Consult with relevant experts to evaluate the records and data described in subdivisions (1) and (2).
- (4) Make determinations regarding the factors contributing to maternal morbidities and maternal mortalities and the preventability of maternal morbidities and maternal mortalities.
- (5) Identify, if applicable, public health and clinical health interventions to improve systems of care and enhance coordination.
- (6) Develop recommendations for the prevention of maternal morbidities and maternal mortalities.
- (7) Disseminate findings and recommendations as required under this chapter.

(c) The statewide maternal mortality review committee's findings for each case must be maintained in a data collection

form developed by the statewide maternal mortality review coordinator under IC 16-50-2-2."

Page 6, line 1, delete "determine" and insert "**determine: (1)**".

Page 6, line 3, delete "mortality." and insert "**death; or (2) whether a miscarriage occurred and, if so, whether the miscarriage contributed or was otherwise related to the maternal death.**".

Page 6, line 3, before "Any" begin a new line blocked left.

Page 6, after line 7, begin a new paragraph and insert:

"SECTION 6. IC 16-50-1-12 IS REPEALED [EFFECTIVE JULY 1, 2021]. ~~Sec. 12: This article expires June 30, 2023:~~

SECTION 7. IC 16-50-2-4, AS ADDED BY P.L.48-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. The statewide maternal mortality review coordinator shall establish a process for a person to report a ~~maternal morbidity and maternal mortality case~~ to the statewide maternal mortality review committee **under this article.**"

Renumber all SECTIONS consecutively.

(Reference is to SB 10 as reprinted February 10, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

BARRETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 47, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 8, between lines 33 and 34, begin a new paragraph and insert:

"SECTION 3. IC 25-26-13-31.5, AS AMENDED BY P.L.129-2018, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 31.5. (a) Subject to rules adopted under subsection (c), a pharmacist intern or a pharmacist student may administer an immunization to an individual under a drug order or prescription.

(b) Subject to rules adopted under subsection (c), a pharmacist intern or a pharmacist student may administer an immunization to an individual or a group of individuals under a drug order, under a prescription, or according to a protocol approved by a physician.

(c) The board shall adopt rules under IC 4-22-2 to establish requirements applying to a pharmacist intern or a pharmacist student who administers an immunization to an individual or group of individuals. The rules adopted under this section:

- (1) must provide for the direct supervision of the pharmacist intern or pharmacist student by a pharmacist, a physician, a physician assistant, ~~or an advanced practice registered nurse, or a registered nurse;~~ and
- (2) may not be less stringent than the requirements applying to a pharmacist who administers an immunization to an individual as provided under section 31.2 of this chapter."

Page 9, line 9, delete "may" and insert "**shall**".

Page 9, line 11, after "the" insert "**influenza immunization and the**".

Page 9, line 11, delete "immunization." and insert "**immunization by July 1, 2021.**".

Page 9, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 4. IC 27-1-24.5-29 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE MARCH 6, 2020 (RETROACTIVE)]: **Sec. 29. A pharmacy benefit manager**

may not require a pharmacy to obtain a signature from an individual for a prescription or immunization during a public health emergency declared under IC 10-14-3-12.".

Renumber all SECTIONS consecutively.

(Reference is to SB 47 as printed January 15, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

BARRETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 54, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 20-43-2-3, AS AMENDED BY P.L.10-2019, SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. In determining the total amount to be distributed for purposes of section 2 of this chapter, distributions:

- (1) as basic tuition support;
- (2) for honors designation awards;
- (3) for special education grants;
- (4) for career and technical education grants;
- (5) for choice scholarships; and
- (6) for Mitch Daniels early graduation scholarships; and
- (7) for FAFSA completion improvement awards;

are to be considered for a particular state fiscal year.

SECTION 2. IC 20-43-10-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. (a) As used in this section, "FAFSA" refers to the Free Application for Federal Student Aid.

(b) A school corporation shall receive a FAFSA completion improvement award for a state fiscal year using the following formula:

STEP ONE: Determine the percentage of the school corporation's pupils in grade 12 who were receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services during the school year ending in the previous state fiscal year and who completed FAFSA during that particular school year.

STEP TWO: Determine the result of:

- (A) the sum of the annual percentages of the school corporation's pupils in grade 12 who were receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services who completed the FAFSA during grade 12 for each of the three (3) school years immediately preceding the year described in STEP ONE; divided by
- (B) three (3);

expressed as a percentage.

STEP THREE: If the STEP ONE percentage is:

- (A) greater than the STEP TWO percentage, determine the result of:

- (i) the STEP ONE percentage; minus

- (ii) the STEP TWO percentage; or

(B) less than or equal to the STEP TWO percentage, determine the result of:

- (i) the STEP TWO percentage; minus

- (ii) the STEP ONE percentage.

STEP FOUR: Determine the percentage of the school corporation's pupils in grade 12 who were not receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services during the school year ending in the previous state fiscal year and who completed FAFSA during that particular school year.

STEP FIVE: Determine the result of:

- (A) the sum of the annual percentages of the school corporation's pupils in grade 12 who were not receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services who completed the FAFSA during grade 12 for each of the three (3) school years immediately preceding the year described in STEP FOUR; divided by
- (B) three (3);

expressed as a percentage.

STEP SIX: If the STEP FOUR percentage is:

- (A) greater than the STEP FIVE percentage, determine the result of:

- (i) the STEP FOUR percentage; minus

- (ii) the STEP FIVE percentage; or

(B) less than or equal to the STEP FIVE percentage, determine the result of:

- (i) the STEP FIVE percentage; minus

- (ii) the STEP FOUR percentage.

STEP SEVEN: Determine the result of:

- (A) the number of the school corporation's pupils in grade 12 who were receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services during the school year ending in the previous state fiscal year multiplied by the percentage determined under STEP THREE; multiplied by
- (B) five hundred dollars (\$500).

STEP EIGHT: Determine the result of:

- (A) the number of the school corporation's pupils in grade 12 who did not receive Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services during the school year ending in the previous state fiscal year multiplied by the percentage determined under STEP SIX; multiplied by
- (B) two hundred fifty dollars (\$250).

STEP NINE: If:

(A) the result of STEP THREE was determined under STEP THREE (A) and the result of STEP SIX was determined under STEP SIX (A), determine the sum of:

(i) the STEP SEVEN result; plus

(ii) the STEP EIGHT result;

(B) the result of STEP THREE was determined under STEP THREE (B) and the result of STEP SIX was determined under STEP SIX (B), the amount under this STEP is zero dollars (\$0) and the school corporation is not entitled to a grant; or

(C) clauses (A) and (B) do not apply, determine the greater of zero dollars (\$0) or the following result:

(i) If the STEP THREE result was determined under STEP THREE (A), determine the result of the STEP SEVEN result minus the STEP EIGHT result.

(ii) If the STEP THREE result was determined under STEP THREE (B), determine the result of the STEP EIGHT result minus the STEP SEVEN result.

(c) A school corporation and the commission for higher education shall provide the department information necessary for the department to carry out this section. The commission for higher education shall submit information to the department necessary for the department to calculate an award under this section when fewer than five (5) students in grade 12 of a particular school complete the FAFSA. The department is bound by the same federal and state privacy requirements as the commission for higher education regarding the information shared under this subsection and the information may only be used to determine a grant amount under this section."

Page 2, delete lines 16 through 25, begin a new line block indented and insert:

"(5) A statement that schools receive a grant under IC 20-43-10-4 based on the percentage of students who complete the FAFSA."

Renumber all SECTIONS consecutively.

(Reference is to SB 54 as reprinted February 9, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 63, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 63 as printed January 15, 2021.)

Committee Vote: Yeas 11, Nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 101, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 101 as printed February 12, 2021.)

Committee Vote: Yeas 13, Nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 122, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 122 as printed January 13, 2021.)

Committee Vote: Yeas 11, Nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 167, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 12, reset in roman "or".

Page 2, delete line 15.

(Reference is to SB 167 as reprinted February 2, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 1.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred Senate Bill 183, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 183 as printed February 5, 2021.)

Committee Vote: Yeas 12, Nays 0.

MILLER D, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 195, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 195 as printed January 29, 2021.)

Committee Vote: Yeas 10, Nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 242, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 3. IC 16-27-4-12.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 12.5. (a) A client who receives attendant care services may decline assistance with any component of the attendant care services, including the use of lift equipment.**

(b) Nothing in this chapter shall be construed to require a client to use lift equipment when lift services are provided."

Renumber all SECTIONS consecutively.

(Reference is to SB 242 as printed January 29, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

BARRETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 380, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 3. IC 33-33-29-2.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 2.2. (a) Notwithstanding section 2 of this chapter, Hamilton superior court No. 7 is established January 1, 2023.**

(b) The first judge of Hamilton superior court No. 7 shall:

- (1) be elected at the November 2022 general election;**
- (2) take office January 1, 2023; and**
- (3) serve a term of six (6) years.**

(c) This section expires January 1, 2029."

Page 3, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 8. IC 33-33-49-15, AS AMENDED BY P.L.201-2011, SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 15. (a) The executive committee, with the approval of two-thirds (2/3) of the judges, shall determine the number of hearing judges, commissioners, referees, bail commissioners, court reporters, probation officers, and other personnel judicial officers and personnel required to efficiently serve the court. The salaries of the personnel shall be fixed and paid as provided by law.**

(b) The administrative officers shall perform the duties prescribed by the executive committee and shall operate under the jurisdiction of the executive committee and serve at the pleasure of the executive committee.

(c) The executive committee shall see that the court at all times is amply provided with supplies and sufficient clerical and other help, including extra reporters or bailiffs, when needed: adequate resources necessary to effectively run court operations. Each judge shall appoint the judge's court reporters, bailiffs, secretary, commissioners, and clerks: a judicial assistant who will also serve as the judge's official court reporter. All other staff assignments will be determined by the executive committee in conjunction with the general term. The staffing requirements set forth in IC 33-29-1-5 do

not apply to the Marion superior court. In addition to the specified duties of this subsection, the executive committee shall exercise any other powers and duties that may be assigned to the executive committee. **by an order book entry signed by a two-thirds (2/3) majority of the judges.** At least once each month, a general term conference of all superior division judges **must should** be held, at which the presiding judge shall preside. **A special order book must be kept for the court in which shall be entered all special rules, proceedings, and similar matters.** During an absence or a vacation of a judge who is a member of the executive committee, the senior superior court judge shall act for the absent member, if necessary.

(d) Notwithstanding any other law, a commissioner appointed under this chapter has all of the powers and duties prescribed for a magistrate under IC 33-23-5. However, the provisions of IC 33-23-5-11 requiring the state to pay the salary of a magistrate do not require the state to pay the salary of a commissioner appointed under this chapter.

(e) If a commissioner appointed under this chapter is appointed as a magistrate in Marion County, the salary of that magistrate shall be paid by the state under IC 33-23-5-11 in the same amount as other magistrates are paid.

(f) The allocation of appointments of commissioners under this chapter shall be determined by agreement between the judges of the superior court and the judge of the circuit court with consideration given to the case load of each court. However, notwithstanding any other law, at least two (2) of the commissioners appointed under this chapter shall be appointed by the judge of the circuit court.

(g) The:

(1) judge of the circuit court has exclusive authority to appoint commissioners allocated to the circuit court; and

(2) judges of the superior court have exclusive authority to appoint commissioners allocated to the superior court by a vote of the majority of the judges of the superior court.

(h) Not more than a simple majority of the commissioners appointed under this chapter may be from the same political party.

(i) A commissioner appointed by the:

(1) judge of the circuit court serves at the pleasure of the judge of the circuit court; and

(2) judges of the superior court continues in office until removed pursuant to local rule.

SECTION 9. IC 33-33-49-16, AS AMENDED BY P.L.162-2020, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 16. (a) An appointed probate hearing judge or probate commissioner judicial officer shall be vested by the judge judges of the probate family division with suitable powers for the handling of all probate matters of the court, including the following:**

(1) Fixing of all bonds.

(2) Auditing accounts of estates, guardianships, and trusts.

(3) Accepting reports, accounts, and settlements filed in the court.

(4) Appointing personal representatives, guardians, and trustees.

(5) Probating wills.

(6) Taking or hearing evidence on or concerning matters described in this subsection or any other probate, guardianship, or trust matters in litigation before the court.

(7) Enforcing court rules.

(8) Making reports to the court concerning the judge's or commissioner's judicial officer's doings in the proceedings described in this subsection, including reports concerning the commissioner's judicial officer's findings and conclusions

regarding the proceedings.

However, all matters handled by a hearing judge or commissioner under this subsection are under the final jurisdiction and decision of the judge of the probate division.

(b) A juvenile referee appointed by the judge of the juvenile division shall have all suitable powers for the handling of the juvenile matters of the court, including the following:

- (1) Fixing of bonds;
- (2) Taking and hearing evidence on or concerning juvenile matters in litigation before the court;
- (3) Enforcing court rules;
- (4) Making reports to the court concerning the juvenile referee's handling of proceedings of the juvenile division of the court.

However, all matters handled by a juvenile referee under this subsection are under final jurisdiction and decision of the judge or judges of the juvenile division designated by rules of the court.

(c) A bail commissioner may fix bonds, including the following:

- (1) Determining whether an individual is to be released on the individual's own recognizance in criminal cases and proceedings;
- (2) Making reports to the court concerning the bail commissioner's activities.

All matters handled by a bail commissioner under this subsection are under the final jurisdiction and decision of the judge or judges of the criminal division as designated by rules of the court.

(d) For any of the purposes specified in this section, a probate hearing judge, probate commissioner, referee, or bail commissioner may do the following:

- (1) Summon witnesses to testify before the probate hearing judge, probate commissioner, referee, or bail commissioner;
- (2) Administer oaths and take acknowledgments in connection with duties;
- (3) Administer oaths and take acknowledgments generally.

(e) A master commissioner appointed by the court under this section has the powers and duties prescribed for a magistrate under IC 33-23-5-6 through IC 33-23-5-8.5. A master commissioner shall report the findings in each of the matters before the master commissioner in writing to the judge or judges of the division to which the master commissioner is assigned or as designated by rules of the court.

SECTION 10. IC 33-33-49-30, AS AMENDED BY P.L.201-2011, SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 30. (a) A judge remains qualified to hold office as long as the judge:

- (1) remains fair and impartial in judicial functions;
- (2) maintains a high standard of morality in dealings, public and private;
- (3) remains physically and mentally capable of performing all the functions and duties of the office of judge; and
- (4) continues to reside in Marion County.

(b) Complaints against a judge must be forwarded to the commission on judicial qualifications as provided in IC 33-38-13 by any judge of the superior court.

(c) If the judge wishes to retire before the judge's term has ended, the judge shall provide written notice to the presiding judge of the court. The judge shall continue to hold office until a successor has been appointed and qualified.

(d) When a vacancy occurs in the court by death, removal, retirement, or for any other reason, the governor shall appoint a successor judge who serves the balance of the term of the vacating judge: a successor judge shall be appointed as

described in section 13.4 of this chapter. The successor judge must be a member of the same political party as the judge who is to be succeeded."

Renumber all SECTIONS consecutively.

(Reference is to SB 380 as printed February 19, 2021.) and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 381, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 19 through 23, begin a new line block indented and insert:

"(5) Ten percent (10%) shall be distributed to the department of natural resources for the development of projects in the state park on the county's largest river, including its tributaries. (6) Twenty percent (20%) shall be distributed as determined by the county fiscal body."

(Reference is to SB 381 as printed February 17, 2021.) and when so amended that said bill do pass.

Committee Vote: yeas 22, nays 1.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 382, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 382 as reprinted February 2, 2021.)

Committee Vote: Yeas 23, Nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 385, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 385 as printed January 29, 2021.)

Committee Vote: Yeas 23, Nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 400, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, between lines 14 and 15, begin a new line double block indented and insert:

"(A) the total cost to develop the statewide electronic lien and title system by July 1, 2021;"

Page 4, line 15, delete "(A)" and insert "(B)".

Page 4, line 17, delete "(B)" and insert "(C)".

Page 4, line 22, delete "July 1, 2021," and insert "**February 1, 2022**,".

Page 5, line 39, delete "July 1," and insert "**February 1, 2022**,".

Page 5, delete line 40.

Page 6, line 38, after "motor vehicle." insert "**The bureau may print or issue electronically the clear certificate of title to the owner or subsequent assignee of the motor vehicle.**".

(Reference is to SB 400 as reprinted February 5, 2021.) and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

PRESSEL, Chair

Report adopted.

ENGROSSED SENATE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: Engrossed Senate Bills 53, 77, 81, 185, 227 and 370.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that Engrossed Senate Bills 54 and 380 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representative Zent be added as cosponsor of Senate Concurrent Resolution 6.

MCNAMARA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Snow and Frye be added as coauthor of House Concurrent Resolution 18.

PRESCOTT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Vermilion be added as cosponsor of Engrossed Senate Bill 7.

OLTHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as cosponsor of Engrossed Senate Bill 53.

LEHE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Gore be added as cosponsor of Engrossed Senate Bill 77.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Karickhoff be added as cosponsor of Engrossed Senate Bill 78.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Davis be added as cosponsor of Engrossed Senate Bill 81.

OLTHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as cosponsor of Engrossed Senate Bill 93.

GUTWEIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Olthoff be added as cosponsor of Engrossed Senate Bill 133.

SPEEDY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as cosponsor of Engrossed Senate Bill 175.

LEHMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Clere and Ledbetter be added as cosponsors of Engrossed Senate Bill 185.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Gutwein be removed as 1st sponsor of Senate Bill 271 and Representative Aylesworth be substituted therefor and Representative Gutwein be added as cosponsor.

GUTWEIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Steuerwald be removed as 1st sponsor of Senate Bill 380 and Representative Jeter be substituted therefor and Representative Steuerwald be added as cosponsor.

STEUERWALD

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bills 1039, 1109 and 1576 and the same are herewith returned to the House.

JENNIFER L. MERTZ

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 13 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ

Principal Secretary of the Senate

On the motion of Representative Errington, the House adjourned at 10:46 a.m., this eleventh day of March, 2021, until Monday, March 15, 2021, at 1:30 p.m.

March 11, 2021

House 479

TODD M. HUSTON
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives